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FEB 04 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

BURNETT et al. REISSUE of U. S. Patent No. 5,762,965

Appln. No.: 09/586,747

Group Art Unit: 1617

Filed: June 2, 2000

Examiner: Criares. T.

Title: VACCINES AGAINST INTRACELLULAR PATHOGENS USING  
ANTIGENS ENCAPSULATED WITHIN BIODEGRADABLE-  
BIOCOMPATIBLE MICROSPHERES

**AMENDMENT**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated October 4, 2001, please enter the following  
amendments and consider the following remarks.

IN THE CLAIMS:

Please amend claim 2 as follows:

2. (Amended) The immunostimulating composition described in claim 1 wherein  
the immunogenic substance is an antigen and the antigen is pre-encapsulated into a  
conformationally stabilizing hydrophilic matrix consisting of an appropriate mono, di- or  
tri-saccharide or other carbohydrate substance by lyophilization prior to its final  
encapsulation into the PLGA microsphere by a solvent extraction process employing  
acetonitrile as the polymer solvent, mineral oil as the emulsion's external phase, and  
heptane as the extractant.

*Enter  
Mr. [unclear]*

1617

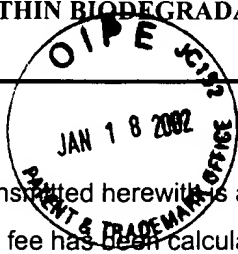
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<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b> Applicant(s): <b>Burnett, et al.</b>	Docket No. <b>Army 105</b>
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Serial No. <b>09/586,747</b>	Filing Date <b>June 2, 2000</b>	Examiner <b>Criares, T.</b>	Group Art Unit <b>1617</b>
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Invention: **VACCINE AGAINST INTRACELLULAR PATHOGENS USING ANTIGENS ENCAPSULATED WITHIN BIODEGRADABLE-BIOCOMPATIBLE MICROSPHERES**



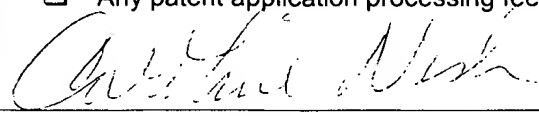
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated and is transmitted as shown below.

**COPY OF PAPERS  
ORIGINALLY FILED**

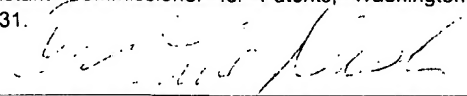
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	44 -	44 =	0 x	\$18.00	\$0.00	
INDEP. CLAIMS	2 -	2 =	0 x	\$84.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **21-0380**  
A duplicate copy of this sheet is enclosed.
  - ☒ Any additional filing fees required under 37 C.F.R. 1.16.
  - ☐ Any patent application processing fees under 37 CFR 1.17.

  
\_\_\_\_\_  
Signature

Dated: **December 18, 2001**

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**Fort Detrick, Md 21702-9223**

I certify that this document and fee is being deposited December 18, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence
<b>Caroline Nash</b>
Typed or Printed Name of Person Mailing Correspondence

CC: